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10/803,374	03/18/2004	Narayan P. Menon	42P11564C2	5487

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EXAMINER

ART UNIT

PAPER NUMBER

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**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

Application Number: 10/803,374  
Filing Date: March 18, 2004  
Appellant(s): MENON ET AL.

\_\_\_\_\_  
Gordon R. Lindeen III  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed 08/02/2007 appealing from the Office action mailed 08/25/2007.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The amendment after final rejection filed on 08/25/2006 has been entered.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

US PG Pub No. 2001/0015968 A1      Sicher et al      08/2001

**(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Sicher et al (U.S. PG Pub No. 2001/0015968).

As per claims 1-26, Sicher et al teach an apparatus including a wireless access communication unit a trunk interface unit having a subscriber ports being coupled to a trunk of a central telephone switch, a plurality of subscriber line interface cards each coupled to a subscriber port to provide a loop interface functions to the central telephone switch, a subscriber interface module associated with each subscriber line interface card a radio transceiver to communicate with a wireless cellular communication network using a wireless trunk and a control section coupled to each subscriber line interface card, to each of the subscriber interface module and to the radio transceiver voice and signaling from each of the subscriber line interface cards to package and format the received voice and signaling for the wireless communications network and using the subscriber interface modules to coordinate and control over the air protocols of the wireless communication network wherein the wireless access communications unit routes calls from user stations coupled to the central telephone

switch to the wireless cellular communications network in response to a command received from the central telephone switch (*see paragraphs 0016, 0017, 0029-0034, 0039-0042*).

#### **(10) Response to Argument**

- a. Applicant argues that Sicher is not analogous art. However, it is the Examiner believes that Sicher is analogous art since., In re Antle, 170, USPQ 285, 287 (CCPA 1971) "Section 103 requires us to presume full knowledge by the inventor of the prior art in the field of his endeavor" but it does not require us to presume full knowledge by the inventor of prior art outside the field of his endeavor, i.e. of "non-analogous" art. In that respect, it only requires us to presume that the inventor would have that ability to select and utilize knowledge from other arts reasonably pertinent to his particular problem which would be expected of a man of ordinary skill in the art to which the subject matter pertains.
- b. Applicant continues to argue that Sicher fails to teach: "a trunk interface". The Examiner respectfully disagrees with Applicant's characterization of the prior art. Sicher discloses this limitation in fig 2, item 14 (E-IWF), specifically wherein said enables a mobile subscriber to make an IS-136 voice call to another Internet subscriber (s) or to a landline terminal. Therefore, the trunk interface is readable as item **14 (E-IWF)**.

c. Applicant further argues that Sicher fails to disclose "a plurality of subscriber line interface cards". The Examiner respectfully disagrees with this assertion, see., Sicher., Detail description Table CWU, data link network **interface cards (CSMA/CD)**.

d. " a control section coupled to each subscriber line interface card". See., Sicher, fig 2, **items 24 and 25, UDP or transmission control protocol (TCP) .**

e. "using the subscriber interface modules, to coordinate and control over the air protocols of the wireless". See., Sicher, fig 2, items 24 and 25, UDP or transmission control protocol (TCP), [0040], [0006], [0032] and [0028].

#### **(11) Related Proceeding(s) Appendix**

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Pierre Eddy Elisca/  
Primary Examiner

Conferees:

/A. J. F./  
Andrew J. Fischer  
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